

07/18/01

07-20-01

EL792822113

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Priority Application Serial No. 08/568,578
Priority Filing Date 12/07/1995
Inventor Michael B. Jones et al.
Priority Group Art Unit 2151
Priority Examiner S. Lao
Attorney's Docket No. MS1-204USC1
Title: Method and System for Resource Management with Independent Real-Time
Applications on a Common Set of Machines

07/18/01
09/909072
U.S. Pro
Barcode

DIVISIONAL PATENT APPLICATION TRANSMITTAL

To: Commissioner of Patents and Trademarks,
Washington, D.C. 20231

From: Lance R. Sadler (Tel. 509-324-9256; Fax 509-323-8979)
Customer No. 22801



The following enumerated items accompany this transmittal letter and are being submitted for the matter identified in the above caption.

1. Transmittal Letter with Certificate of Mailing included.
 2. Fee Transmittal
 3. Check in the Amount of \$710.00
 4. PTO Return Postcard Receipt
 5. Request for Divisional Application Under 37 C.F.R. 1.53 (b)
 6. True copy of the prior application as filed including the specification (26 pages, claims 1-44, Abstract, 12 sheets informal drawings (Figs. 1-9)
 7. Copy of Executed Declaration
 8. Preliminary Amendment
 9. Copy of Assignment

Large Entity Status [x] Small Entity Status []

The Commissioner is hereby authorized to charge payment of fees or credit overpayments to Deposit Account No. 12-0769 in connection with any patent application processing fees under 37 CFR 1.17; and any additional filing fees under 37 CFR 1.16 for the presentation of extra claims.

Date: 7/18/01

By: 
Lance R. Sadler
Reg. No. 34,656

CERTIFICATE OF MAILING

I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as either first class mail, or Express Mail if the blank for Express Mail No. is completed below, in an envelope addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the below-indicated date. Any Express Mail No. has also been marked on the listed items.

Express Mail No. (if applicable) E1792822110

Date: 7/18/2001 By: Cheryl K. Boies
Cheryl K. Boies

By: Cheryl K. Boies
Cheryl K. Boies

Cheryl K. Boies

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 710.00)

<i>Priority</i>		Complete if Known	
Application Number		08/568,578	
Filing Date		12/07/95	
First Named Inventor		Jones	
Examiner Name		S. Lao	
Group Art Unit		2151	
Attorney Docket No.		MSI-204 USC 1	

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 12-0769
Deposit Account Name Lee & Hayes, PLLC

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101	710	201 355 Utility filing fee	710
106	320	206 160 Design filing fee	
107	490	207 245 Plant filing fee	
108	710	208 355 Reissue filing fee	
114	150	214 75 Provisional filing fee	

SUBTOTAL (1) (\$ 710.00)

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
7	7		-20** = 8	X	= 8
			-3** = 0	X	= 0

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
103	18	203 9 Claims in excess of 20	
102	80	202 40 Independent claims in excess of 3	
104	270	204 135 Multiple dependent claim, if not paid	
109	80	209 40 ** Reissue independent claims over original patent	
110	18	210 9 ** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for <i>ex parte</i> reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	390	216 195 Extension for reply within second month	
117	890	217 445 Extension for reply within third month	
118	1,390	218 695 Extension for reply within fourth month	
128	1,890	228 945 Extension for reply within fifth month	
119	310	219 155 Notice of Appeal	
120	310	220 155 Filing a brief in support of an appeal	
121	270	221 135 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,240	241 620 Petition to revive - unintentional	
142	1,240	242 620 Utility issue fee (or reissue)	
143	440	243 220 Design issue fee	
144	600	244 300 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR 1.17(q)	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279 355 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Lance R. Sandler	Registration No. (Attorney/Agent)	38,605	Complete if applicable
Signature	<i>Lance R. Sandler</i>			
		Date	7/16/01	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Priority Application Serial No.08/568,578
 Priority Filing Date12/07/1995
 Inventor..... Michael B. Jones et al.
 Priority Group Art Unit2151
 Priority Examiner S. Lao
 Attorney's Docket No.MS1-204USC1
 Title: Method and System for Resource Management with Independent Real-Time
 Applications on a Common Set of Machines

REQUEST FOR DIVISIONAL APPLICATION

UNDER 37 C.F.R. 1.53(b)

To: Commissioner of Patents and Trademarks,
 Washington, D.C. 20231

From: Lance R. Sadler (Tel. 509-324-9256; Fax 509-323-8979)
Customer No. 22801

This is a request for filing a Divisional application under 37 CFR §1.53(b) of Application Serial No. 08/568,578 which was filed December 7, 1995 and is entitled "Method and System for Resource Management with Independent Real-Time Applications on a Common Set of Machines." The prior application was submitted in the names of Jones et al. The original declaration showing their addresses is also enclosed.

The prior application was a complete application as set forth in 37 CFR §1.51(a). The application papers being filed herewith are a true copy of the prior application as filed including the specification (with claims), drawings, oath or

1 declaration showing the signature(s), and any amendments referred to in the oath or
2 declaration to complete the prior application. No amendments referred to in the oath
3 or declaration filed to complete the prior application introduced new matter therein.
4 No abandonment or termination of proceeding has occurred in the above-identified
5 prior application.

6

7 The filing date of pending application Serial No. 08/568,578 is hereby
8 claimed under 35 U.S.C. §120.

9

10 A preliminary amendment is enclosed.

11

12 A check is enclosed to pay fees under 37 CFR §1.16 and §1.17 associated
13 with this communication.

14

15 A previous assignment to Microsoft Corporation has been executed by the
16 inventors in the prior application, and is applicable to the present application. A
17 copy of the assignment is enclosed herewith.

18

19 A previous power of attorney in the prior application is given to Lewis C.
20 Lee, Reg. No. 34,656, Daniel L. Hayes, Reg. No. 34,618, Allan T. Sponseller, Reg.
21 38,318; Steven R. Sponseller, Reg. No. 39,384; James R. Banowsky, Reg. No.
22 37,773; Lance R. Sadler, Reg. No. 38,605; Thomas A. Jolly, Reg. No. 39,241; David
23 A. Morasch, Reg. No. 42,905; Kasey C. Christie, Reg. No. 40,559; Nathan R. Rieth,
24 Reg. No. 44,302; Brian G. Hart, Reg. No. 44,421; David S. Thompson, Reg. No.
25 37,954; Paul W. Mitchell, Reg. No. 44,453; Bradley K. DeSandro, Reg. No. 34,521;

1 Brian J. Pangrle, Reg. No. 42,973; Katie E. Sako, Reg. No. 32,628 and Daniel D.
2 Crouse, Reg. No. 32,022.



22801

PATENT TRADEMARK OFFICE

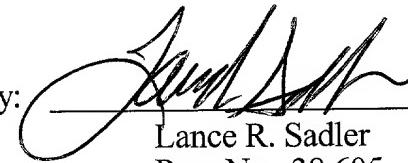
3 Please send correspondence to: **Customer No. 22801.**

4 Direct telephone calls to: Lance R. Sadler (509) 324-9256.

5
6 Respectfully submitted,

7 Dated: 7/18/01

8 By:



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Lance R. Sadler
Reg. No. 38,605